The Coated Tablets Strychnine Sulphate were alleged to be adulterated in that their strength and purity fell below the professed standard and quality under which they were sold, in that each of the tablets was represented to contain one-sixtieth of a grain of strychnine sulphate; whereas each tablet contained more than one-sixtieth of a grain, to wit, not less than 0.021 grain (one-fiftieth of a grain) of strychnine sulphate.

The Compressed Tablets Phenobarbital were alleged to be adulterated in that their strength and purity fell below the professed standard and quality under which they were sold, in that each tablet was represented to contain ½ grain of phenobarbital; whereas each tablet contained not less than 0.56 grain of phenobarbital.

The Compressed T. T. Nitroglycerine Tablets were alleged to be misbranded in that the statement borne on the bottle label, "Each T. T. Contains Nitroglycerine 1-100 gr.", was false and misleading in that each of the tablets contained more than one one-hundredth of a grain of nitroglycerin, to wit, not less than 0.0122 grain of nitroglycerin, that is, one-eightieth of a grain thereof.

The Tinct. Aconite was alleged to be misbranded in that the statement borne on the bottle label, "100 Tinct. Aconite 3½ Min", was false and misleading in that it represented that each tablet contained a potency equivalent to 3½ minims of tincture of aconite, when in truth each of said tablets had little, if any, potency derived from tincture of aconite.

The Coated Tablets Strychnine Sulphate were alleged to be misbranded in that the statement borne on the bottle label, "Tablets Strychnine Sulphate 1-60 Grain", was false and misleading in that each tablet was represented to contain one-sixtieth of a grain of strychnine sulphate; whereas each tablet contained more than one-sixtieth of a grain, to wit, not less than 0.021 grain of strychnine sulphate, that is, one-fiftieth of a grain.

The Compressed Tablets Phenobarbital were alleged to be misbranded in that the statement borne on the bottle label, to wit, "Tablets Phenobarbital ½ Gr.", was false and misleading in that each tablet contained more than one-half grain, to wit, not less than 0.56 grain of phenobarbital.

On November 22, 1935, a plea of guilty having been entered, a fine of $150 was imposed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25823. Adulteration of Compressed Tablets Amidopyrine, Novocain 1% Ampoules, and Solution Magnesium Sulphate. U. S. v. E. S. Miller Laboratories, Inc. Plea of guilty. Fine, $250. Execution of sentence to extent of $200 suspended for 3 years. (F. & D. no. 35938. Sample nos. 15243–B, 15524–B, 20468–B, 26268–B.)

The labels of these articles bore erroneous statements regarding their essential ingredients.

On March 26, 1936, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the E. S. Miller Laboratories, Inc., Los Angeles, Calif., alleging shipment by it in violation of the Food and Drugs Act as amended, in the period from on or about June 14, 1934, to on or about October 16, 1934, from Los Angeles, Calif., to Tucson, Ariz., The Dalles, Oreg., and Soda Springs, Idaho, of quantities of Compressed Tablets Amidopyrine, Novocain 1% Ampoules, and Solution Magnesium Sulphate which were adulterated. The articles were labeled in part: (Bottle) "Miller 1000 Compressed Tablets No. 364 Amidopyrine (Dimethylamino-Antipyrine) 5 Grains E. S. Miller Laboratories Incorporated Los Angeles U. S. A."; (carton) "50 Ampoules Sterile Solution Novocain (Metz) 1% Novocain * * *. H. A. Metz Laboratories Brand of Procaine"; (ampoule) "20 c. c. No. 91 Sterile Solution Magnesium Sulphate, 10% 31 Grains (2.0 Grams)."

Adulteration of the Compressed Tablets Amidopyrine was charged in that each of said tablets was represented to contain 5 grains of amidopyrine; that each tablet contained not more than 3.96 grains thereof; that the strength and purity of the tablets fell below the professed standard and quality under which they were sold.

Adulteration of the Novocain 1% Ampoules was charged in that the article was represented to contain 1 percent of novocain; that it contained more than 1 percent thereof, to wit, not less than 1.16 percent of novocain; that the strength and purity of the article fell below the professed standard and quality under which it was sold.

Adulteration of the Solution Magnesium Sulphate was charged in that 20 cubic centimeters of the article was represented to contain 10 percent of mag-

nesium sulphate, and 31 grains, or 2 grams, of magnesium sulphate; that 20 cubic centimeters of the article contained not more than 1.59 grams of magnesium sulphate, equivalent to 24.5 grains of magnesium sulphate; that 20 cubic centimeters of the said article contained not more than 7.94 percent of magnesium sulphate; that the strength and purity of the article fell below the professed standard and quality under which it was sold.

On April 13, 1936, a plea of guilty having been entered, a fine of $250 was imposed, but execution of the sentence to the extent of $200 was suspended for 3 years, conditioned that defendant comply with all food and drug laws.

W. R. GREGG, *Acting Secretary of Agriculture.*

25824. Adulteration and misbranding of tincture of aconite tablets. U. S. v. The Upjohn Co., a corporation. Plea of nolo contendere. Fine, $200. (F. & D. no. 35946. Sample no. 32141–B.)

The label of this article misrepresented its potency.

On October 16, 1935, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Upjohn Co., a corporation, Kalamazoo, Mich., alleging shipment in violation of the Food and Drugs Act as amended, on or about April 3, 1935, from Kalamazoo, Mich., to Chicago, Ill., of a number of bottles of aconite tincture tablets which were adulterated and misbranded. The article was labeled in part: (Bottle) "100 Tablets Aconite Tincture Each tablet represents 3½ minims Poison The Upjohn Company Kalamazoo, Mich."

Adulteration of the tablets was charged in that each of them was represented to possess a potency equivalent to 3½ minims of tincture of aconite; that each possessed a potency of not more than 1.45 minims of tincture of aconite; that the strength and purity of the tablets fell below the professed standard and quality under which they were sold.

Misbranding of the article was charged in that the labels on the bottle containing the tablets bore the statements, to wit, "Tablets Aconite Tincture" and "Each tablet represents 3½ minims"; that the said statements represented that each of said tablets possessed a potency equivalent to 3½ minims of tincture of aconite; that each of said tablets possessed a lesser degree of such potency; and that the aforesaid statements were false and misleading.

On December 2, 1935, a plea of nolo contendere having been entered, a fine of $200 was imposed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25825. Misbranding of Voxol. U. S. v. John H. Vernet, trading as Voxol Laboratories. Plea of guilty. Fine, $50 and costs. (F. & D. no. 35947. Sample no. 261–B.)

False and fraudulent therapeutic and curative claims were made for this article.

On October 2, 1935, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against John H. Vernet, trading as Voxol Laboratories, Oak Park, Ill., alleging shipment by him in violation of the Food and Drugs Act as amended on or about September 20, 1934, from Oak Park, Ill., to Denver, Colo., of a bottle of Voxol which was misbranded. The article was labeled in part: (Bottle) "Voxol Inhalant * * * Voxol Laboratories Oak Park Illinois."

Analysis showed that the article consisted essentially of a fixed oil containing volatile oils, including oil of eucalyptus and menthol.

Misbranding of the article was charged in that the label attached to the bottle bore the statements, to wit, "For immediate relief of Sinus, Asthma, Catarrh, Influenza, Hayfever, Colds, Pneumonia, Bronchitis, Croup, Diphtheria, Earache, Sore Throat, and all respiratory ailments when used with the Voxolator; and For all head disorders, inhale and exhale thru the nose, 10 to 15 minutes. For all Chest and Thoat Disorders inhale and exhale thru the nose for 5 minutes and then thru the mouth for 10 minutes. For all severe cases use 2 caps full of Voxol Inhalant"; that the said statements were representations regarding the curative or therapeutic effects of the article; that the said statements falsely and fraudulently represented that the article was effective, among other things, for the immediate relief of sinus, asthma, catarrh, influenza, hay fever, pneumonia, bronchitis, croup, diphtheria, earache, sore throat, and all respiratory ailments when used with the Voxolator; effective as a treatment, remedy, and cure for all head disorders when inhaled and exhaled